

**Amendments to the Claims:**

Please cancel claims 8 and 33 without prejudice.

Please withdraw claim 10.

Please add new claims 34 and 35.

Please amend claims 7, 21 and 30 as follows:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-6 (Cancelled)

7. (Currently amended) A method for detecting a cancerous breast, colon, or prostate cell in a test sample from a human subject, said method comprising:

detecting a level of a gene product, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or a full complement ~~complements~~ thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 ~~and complements thereof~~, and comparing the level of the gene product in the test sample to a control level of said gene product;

wherein the presence of a cancerous cell is indicated by detection of an increase in said level of the gene product in the test sample in comparison to a control level of the gene product.

Claim 8 (Cancelled)

9. (Original) The method of claim 7, wherein said gene product is nucleic acid.

10. (Withdrawn) The method of claim 7, wherein said gene product is a polypeptide.

11. (Original) The method of claim 7, wherein said detecting step uses a polymerase chain reaction.

12. **(Original)** The method of claim 7, wherein said detecting step uses hybridization.

13. **(Original)** The method of claim 7, wherein said sample is a sample of tissue suspected of having cancerous cells.

Claims 14-20 **(Cancelled)**

21. **(Currently amended)** A method for assessing the tumor burden of a human subject, said method comprising: detecting a level of a gene product in a test sample from a subject, said gene product comprising the nucleotide sequence of SEQ ID NO:23702, or complements thereof, or encoded for by a nucleic acid comprising the nucleotide sequence of SEQ ID NO:23702 or complements thereof; wherein the level of said gene product in the test sample is indicative of the tumor burden in the subject.

Claims 22-29 **(Cancelled)**

30. **(Currently amended)** A method of diagnosing breast, colon, or prostate cancer in a human patient comprising:

a) determining the level of a nucleic acid in a patient sample comprising human breast, colon, or prostate cells, said nucleic acid comprising a nucleotide sequence having at least 95% sequence identity to SEQ ID NO:23702, or a full complement thereof, in a patient sample; and

b) comparing said level of the nucleic acid nucleotide sequence in (a) to a level of the nucleic acid nucleotide sequence in a second sample, said second sample comprising a negative control comprising non-cancerous human breast, colon, or prostate cells tissue;

wherein an increase of at least 50% between the level of the nucleic acid nucleotide sequence in (a) and the level of the nucleic acid nucleotide sequence in the second sample indicates that the patient has breast, colon, or prostate cancer; wherein the nucleotide sequence at least 95% identical to SEQ ID NO:23702 has the same expression profile as SEQ ID NO:23702.

31. **(Previously presented)** The method of claim 30 wherein the increase is at least 100% compared with the negative control.

32. **(Previously presented)** The method of claim 31 wherein the increase is at least 200% compared with the negative control.

Claim 33 **(Cancelled)**

34. **(New)** The method of claim 30 wherein the nucleotide sequence is at least 98% identical to SEQ ID NO:23702, or a complement thereof.

35. **(New)** The method of claim 30 wherein the nucleotide sequence is SEQ ID NO:23702.